P.R. 111-92

G. R. S. IX-5]

Previous reference. 1892-93

192 .

(L. R)

File No. 177-92

Serial Nos. 1-5

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-5

In ~~Part~~ B for May 1893

SUBJECT.

Appeal of Narasimhachar of Attavar, Hassan taluk, regarding his luck to the Shanbhog's of the said village —

Contumacious

Submitted

WD 2283—GPB—20,000—14-6-20

1

(General Serial No. 32.)

(2)

1892. 3

No. 207

Name of Petitioner. Narasimhachar Shanbogue

Village. Attavar

Taluk. Hassan

District. Do "

Date of Arzi. 21 — 7 — 92

Date of Receipt. 21 — 7 — 92

Date of Disposal.

No. of Enclosures. Four.

ABSTRACT.

In appealing against the Dy. Comm'r's order fi him Rs 20/- and removing hi from the office, the petr brings to notice the follow facts:—

1. The Shanbogueship of the said attavar Pirka had bee long since in the Name of the Petitioners father Sreenv accountant & the duties performed by him for ~~[illegible]~~ Renewed ing to look after the duties by old age and infirmity the said Sreenv accountant submitted a petition to R

amildar that the Office might be regulated in the Name of his two sons the petitioner and Vedanta-desikachar. The amildar also reported on the Dy Comm. on the above petition, 8 days since the said Srinivasaraghava died

2. The Dy. Comm. ordered that the elder son Narasim-har (petitioner himself) appear & in the said petition should be directed to do the duties & that during the jamabandy he must be ordered to appear in person for the disposal of the appointment. In the meanwhile some of the members who had lost their kith applied for the office. The Dy. amildar however did not present such pot applicants before the Dy. Comm. during the jamabandy.

3. Afterwards the Dy. amildar ordered the petitioner & the Tahsildar to go and wait upon the Dy. Comm. at his quarters. They both appeared. Nothing was done then & the petitioner was obliged to return on account of

the urgency of his accounts.
4. The Dy. Commr. ordered
that the Tahsildar alone
being present & the Shanbog
being present absent they
both must be directed
to appear before the Dy.
Comms. at Hassan.
5. According to the above
orders communicated by
the Dy. amildar, the
petitioner and the Tahsil-
-dar went to Hassan.
The Dy. Comm was absent
on circuit. The petitioner
asked the amildar as to
how to act. The amildar
promised to write to the
Dy. Commissioner the
fact and asked the petitioner
to return for preparing
the accounts for January.
Thus was the petitioner
prevented from following
the Dy Commr to his camp.
Understanding that the Dy.
Commr ordered that the
Tahsildar alone being pres
& the Shanbogue absent
the charge of the office
must be taken away
from the Shanbogue (pet
and delivered to the
nearest heir

petitioner petitioned the
Dy. Commr: Explaining
the circumstances. On his
6 petition the Dy. Commr.
sent orders to the Dy. Amildar
to cause that the petr.
should be relieved of the
Shanbogue Office. The
Dy. Amildar sent orders
to the petitioner to deliver
over charge to Narasimhar
the son of Ramiah who had
lost his mind. The petr
wrote back to the Dy. Amildar
stating that being collection season, enquiry
whether he was to deliver
over charge at once or
after the completion the
collection. For this the
petitioner received no
answer. Thereupon the
petitioner sent up a
petition to the Dy Commr.
Explaining these facts.
The Endorsement received
i.e. No. 462 is herewith
submitted

7. The petitioner then represented
his case to the Dy Commr.
in person during the Jama-
bandy. The Dy Commr.
thereupon sent orders to the Dy.
Amildar fining the petitioner
Rs 20/- & alleging that

3d Sheet

The petitioner has been guilty of telling a lie & not having delivered over Charge. Copy of his order is Enclosed. While the order was for the hamper of the Charge D'a near heir, it has been given to one who has lost luck. But the record Contain papers pointing out to the loss of luck by the Talavera Car. Copy thereof is also Enclosed.

Prays that the foregoing facts may be considered the papers referred to in each para above perused, & orders passed Cancelling the fine imposed & Restoring the Charge to the Petitioner.

S. Dey
28/7/92

Dy. Comm Engr.
No. 462.

Your Offence is inexcusable. As you have informed the Dy. Amildar what you were not told, as you in defiance of the orders failed to deliver over the

Change, You have been
fined Rs 20/- and the
Dy Comdar informs
that the appointments
relieved of the charge of
the Shamboque Office.
The appointments of the
post being kept held
in abeyance till the
next years Jamabundy.
The Dy Comdar has
been written to to the
above effect. 6th May 1892

(Sd) Syed Nasrudeen
Dy Comnr.

Dy Comms' order No. 863

You ought to have carried
out the orders received from
the higher Officer. You
ought not to have believed
the words of this man.
~~Because he told you~~
~~what~~ I have told him
so. Because he represented
to you what I did not tell
him and moreover failed
to deliver over charge
in obedience to the orders
he is fined Rs 20/- After

4 Sheets.

Re collection season is over hereafter Re charge of Re office D Re Talukdar. The appt will be disposed of in Re next January. Till then Re Appoint-ment will be held in Amanat as a punish-ment D Res man.

26 April 1892.

(Sd) Syed Hasamudin
D/Commr.

S.H.R
28/7/92

A.S NO 11
92-93

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. No 207R
DATE 21-7-92

Pol
Ft. 111-92

(3)

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

Lr 177-92-2

The accompanying Petition No. 207
dated 21-7-92 received at the
Dewan's Office from Narasimhachar
Shanbogue of Attavar,
Hassan Taluk, appealing
against the Deputy Commr's
order in re his Shanboguship
&c. &c.

Lr 355 dt 30-8-92

is forwarded, together with its 4
enclosures, to the Deputy Commr
Hassan Dist for submission
of Proceedings with a report
on the facts relating to
(1) the claim to the office of
Shanboguship, and
(2) the conduct of petitioner
which merited the fine
complained of.

2. The petition should be returned

By Order,

Draft
Chief Secy's order Sent
3/8/92

Chief Secretary.

BANGALORE,
9th August 1892

Endt issued

3 D Pet. No. 111 of 1892

(General Serial No. 30.)

1892 245-5-

1 SEP 92
Pet 122
DEWAN OF MYSORE

From

The Dy Commissioner,
Hassan District.

To

La 177-92-3

The Chief Secretary to the Dewan Court of Mysore.

Dated 30th
Despatched 31st } August 1892.
Received

Enclosures No. Petition & its enclosures and file of V. P.

General No. 353.
No.

In reply to 111/P. *Dated* 9th August/92.

SUBJECT.

Submitting report on the petition of Narasimhachar, Shanbogue of Attavara, Hassan Taluk appealing against the Dy Commissioner's order in re- his Shanbogue hulk dea.

Peter Bor
Mysore 1/9/92

References (to be entered only in the Dewan's Office).

K. Shastri
for perusal
& return in 2 days
i e by the 12th inst
10/11/92

2/9/92 Read 6/9.

4 11

(4)

No. 355
re Petition &
on file of N. P.

Deputy Commissioners Office,
Hassan District.

Dated Hassan 30th August 1892

From,

P. N. Punnaiya Esqre.
Deputy Commissioner
Hassan District.

To

The Chief Secretary to the
Government of Mysore
Bangalore.

Sir,

With reference to your official memo No. 111 Dated 9 August 1892 forwarding a petition from Narasimhachar, Shanbogue of Attavar, Hassan Taluk, appealing against the orders of this office in re. his Shanbogue Inam, I have the honor to submit herewith

the

12 E 1

the Vernacular Proceedings connected with the case and to report as follows:—

2— The appellants father Sreenivasaengar, Baraward Shanbogue of Attavar Finka died on the 14th May 1890. The appellant and 2 other kulkarns viz Narasimhaffar son of Ramanya and Venkata char put forth their claims to the vacant post The Deputy Kuldar after making necessary enquiries submitted the proceedings to this office for orders with his opinion that the appellant is the proper claimant to the office, he being the eldest son of the family

Jamadar Vide (vide his report Exp. 564
Dated 19th August 1890). The
Deputy Amildar was directed
to order the parties to appear
at the Jamabandi of his rauf,
directing him also to take
work from the appellant
till the case is disposed of
On the 10th August 1891, the
Dy Amildar made a report
stating that he has produced
the parties; but the parties
not being present, he was again
ordered to send them to Head
Quarter after taking Muchali-
-kas from them to appear there
on a fixed day. (vide order Exp.
409 Dated 2nd September 1891). In
accordance with the above
the Dy. Amildar obtained
Muchalika

Inuchalidas from the parties and forwarded the same with his report No. 800 Dated 5th November 1890. On the 12th November 1890 which was the date fixed for their appearance the other claimants appeared but the sons of the deceased Shanbogue. So an order was issued to the Deputy Amildar stating that though the sons of the deceased Shanbogue were twice ordered to appear before this office they did not do so and they did not care about the appointment and that consequently the appellant should be relieved of his duties and another Amildar be selected vide this office order No. 561 Dated

16th

16 November 1891). The Deputy Amildar in submitting his report No. 844 Dated 26th — November 1891 solicited sanction for the retention of the appellant in the office till the Jamabandi was over as he had to prepare accounts of his Fasla which were very urgent. It was accordingly sanctioned.

3 — On the 2nd December 1891 Narasimhachar, the appellant petitioned to the office praying that the orders passed against him might be reconsidered, as he appeared in obedience to the orders of the Deputy Amildar at the Head Quarter office along with the other claimants. But finding the

Deputy

Deputy Commissioner not present at Head Quarters, he returned to his village for the prepara-tion of accounts which were very urgent. This petition was ordered to be filed as the appellant could have attended the Camp office as the other claimants did On the 11th February 1892, the Deputy Shirdar issued an order to the Shanbhag to order the appellant to hand over charge of the office to another Shirdar named Narasimhachar together with an order to the appellant himself to the same effect But the appellant reported that he was looking after

the

the Collection work and if he should hand over charge of the office there would be some Confusion in the accounts &c and consequently he might be allowed to remain in the office till the work is finished. The Deputy Amildar submitted the above report to this office for instructions with his Ittila No 1085 Dated 7th March 1892. He also stated that the appellant informed him (Deputy Amildar) that as representing his (appellant's) innocence in the case the Deputy Commissioner told him that he would shortly send orders about him.

4 — As the above statement was

as a falsehood the appellant
as been fined Rs 20 which
sum is to be deducted from
his Patigi vide order No 863
Dated 26th April 1892.—

I have the honor to be
Sir,
Your most obedient servant;

Dy Commissioner
Kaiama District

19.

(6)

(General Serial No. 30.)

1893

L.R. 177-92-4

From

The Chief Secretary
to the Dewan of Mysore.

To

The Deputy Commr.
Hassan Dist.

Dated

Despatched 17 May/93

Received

Enclosures No.

General No.

No.

References to be marked.

Mysore Govt. C. Press, Bangalore.—9-1-93.—3,000.

Read :—

(1) Petition No. 207/11 dt 21-7-92, from Narasimhachar of Attavar, Grama Sub-Taluk, appealing against the order of the Deputy Commissioner of Hassan, fining Petitioner and removing him from the office of Shanbhog of Attavar.

(2) Proceedings recd with letter No. 353 dt 30th Augt 1892 from the Deputy Comm'r Hassan Distt

Order thereon

The action of the Deputy Commissioner, Mr Nasiruddin, in this case cannot be approved. The Appellant was ordered to be removed from office because he failed to attend on the date fixed for hearing, and he was fined for having failed to deliver over charge of the office and mis-represented to the Amildar that the Deputy Commissioner promised to send favorable orders. But the Government observe that the Appellant did attend the Deputy Comm'r's Office at the Head Quarters on the date fixed and only failed to go

Drawn

No. 20028 / Pet. Fi 111-92 dt 23/25/5/93

to the Station where the Deputy Commr happened to be on that date. This is not an offence that should be visited with removal from office. As regards his failure to deliver over charge, the Appellant did not actually refuse to deliver over charge, but only requested that he might be allowed to retain charge till the collection work was over and this application was submitted for orders With reference to the alleged mis representation, it is not clear from the Records when the Appellant went to the Deputy Commr and when he was told that favorable orders would be issued The Deputy Commr however in his order simply states that he passed no such orders, but does not state that Appellant did not

appear before him at all. It is possible that appellant misunderstood the orders of the Deputy Commr.

Under all these circumstances, the Govt resolve to cancel the order of the Dy. Commissioner and remit the fine imposed on Petitioner He should be forthwith restored to office, and the fine if recovered, refunded to him

Vd 20/5/193

Draft (Commd order) 21/5 Chief Secretary

Sk

To The Deputy Commr Hassan

Date returning the Vernacular Proceedings

No. 207/11

Lr 177-92-5-93

26-5-93

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
26 May 1893

(7)

Endorsement granted to Narasimhachar of Attavar of Grama Sub-Taluq

in reply to his Petition Registered No. 207 dated 21-7-92 appealing against the order of the Deputy Commr of Hassan fining petitioner and removing him from the office of Shanbhogue.

Petitioner is ~~informed that~~ referred Deputy Commr who has been requested to remit the fine and restore him to office.

2 The enc. are returned.

20/5/93

"By Order"

Chief Secretary.

Mysore Govt. Central Press, Bangalore.—9-2-93—2000.